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# United States District Court

## EASTERN DISTRICT OF NORTH CAROLINA

### WESTERN DIVISION

WENDIE LYNN NAPIER, )  
Plaintiff, )  
 )  
V. )  
 )  
MICHAEL J. ASTRUE, )  
*Commissioner of Social Security,* )  
Defendant. )

JUDGMENT IN A CIVIL CASE  
CASE NO. 5:11-CV-390-D

Decision by the Court:

**IT IS ORDERED AND ADJUDGED** that the Court adopts the conclusions in the Memorandum and Recommendations [D.E. 38], and Plaintiff's objections [D.E. 39] are OVERRULED. Plaintiff's Motion for Judgment on the Pleadings [D.E. 34] is DENIED, Defendant's Motion for Judgment on the Pleadings [D.E. 35] is GRANTED, and the Commissioner's final decision is AFFIRMED.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **SEPTEMBER 20, 2012**, WITH A COPY TO:

Laurie Jo Burch (via CM/ECF electronic notification)  
Candace H. Lawrence (via CM/ECF electronic notification)

September 20, 2012  
Date

JULIE A. RICHARDS, Clerk

Eastern District of North Carolina

/s/Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina